

I. End of Year (EOY) Results for FY14 – Region 1 NDPES (10/15/2014)

A. Some Highlights and Numbers from FY14

- **30 Final IPs**, represents 10 different permit writers. (We had set a goal of 35 in Oct '13), and 1 IP permit modification, and at least 5 IP terminations.
- **1 Final General Permit, covering 2 states:** Non-Contact Water General Permit. Made progress in issuing the DGP
- **Additional Public Notices** - 26 other IPs have been or are **on PN** as of 9/30/14
- **Backlog as of 9/30/14** – (preliminary figures) Region-wide, 72.4% of non-stormwater permittees covered by IPs and GPs are current, compared with 90% national goal and 78% FY14 goal, and 78.5% on 9/30/13. For EPA-issued permits, 66.4% current compared with 79.1% on 9/30/13.
- **34 Priority Permit** in Region 1, exceeding goal of 31, with 15/12 in MA and NH (13/10 in MA and 2/2 in NH), and 19/19 in the delegated states. Many contributed.
- **Appeals** – 1 final permit issued in FY14 was appealed: Charles River Pollution Control District. Briefs prepared for Concord MA and Charles River. Newmarket and Concord appeals were resolved favorably, with two issued remanded in the Concord appeal. As of 9/30/14, only one outstanding appeal (Charles River)
- **MA Small MS4 Draft General Permit** - Issuance of the Draft Small MS4 GP for municipal stormwater discharges in Massachusetts
- **Residual Designation Authority (RDA) Petition** - In March 2014, the Region completed its response to a petition filed by NRDC, CLF and American Rivers regarding residual designation. The Region's response was to neither approve nor deny the petition, but to continue to work where sufficient site specific information supports its use. The Charles River will be the most likely focus.
- **Progress and Public Notices on Power Plant Permits** - This includes a draft permit for Mt. Tom and a re-public notice on the Flus Gas Desulfurization provisions for PSNH Merrimack Station. GE Lynn final permit issued, which includes a power plant component. Significant drafting of Schiller Station (ready for ORC review), and good progress on Pilgrim.
- **Northeast Gateway (NEG)** - Successfully responded to urgent request to re-issue Northeast Gateway (NEG) deepwater port Liquefied Natural Gas (LNG) terminal permit. Met with permittee, ISO New England, and briefed RA on issues such as need for LNG imports this winter, Region I technical and legal resource

constraints. Assembled team that includes HQ permit writer and legal support. Set goal for public notice of draft permit.

- **Implementation of the Co-permittee Strategy** with Charles River final permit and factsheet attachment, with draft permits being prepared for Taunton, Marshfield, MWRA Clinton, and SEDS.
- **EJ Assessment**, enhanced community outreach, response to EJ comments for the Chelsea Creek Petroleum Terminal Permits
- **Great Bay Permitting** - Resolved Newmarket appeal and maintaining a dialog with Great Bay communities, including field monitoring, implementation of AOs with Newmarket and Exeter, developing NPS BMP “credits”, and discussion with state and individual municipalities. Treatment for TN is improving at several POTWs.
- **Potable Water Treatment Facility General Permit (PWTFGP)**
Authorizations – Issued GP authorizations for 14 permanent facilities, meeting the five- year deadline for either authorizing discharges based on NOIs or determining the need of an IP. This accomplishment means that Region 1 EPA has processed all pending NOIs under the SPOTWGP, NCCWGP, HydroGP, and PWTFGP as of 9/30/14. Continued to implement the RGP and other GPs, including responding to inquiries.
- **General Permitting Progress** - Developed and successfully use a Biological Assessment approach for fulfilling NMFS - ESA requirements for re-issued GPs. This was used in FY14 for the NCCWGP, the MA Small MS4 GP, and the DGP. In this, meeting NHPA requirements and also measures, laid groundwork for harmonizing R1 common GP requirements.
- **Other Stormwater and Construction Permitting Highlights** - Implemented 2010 Census Implication Strategy for New MA MS4s. Developed MS4 Tools – eNOI, TMDL WLA Tables, Stormwater BMP performance tools, and Stormwater Web Site, which continues to be a model. Prepared for Final MSGP issuance in fall 2014 (OW lead, but many support activities, of substance, administration, and answering questions), and made progress towards Draft MA DOT MS4 Individual Permit, including TMDL requirements.
- **FOIA Responses** - Responding to FOIA requests, most notably massive FOIAs for PSNH Merrimack, for Great Bay communities, the Somerville MBTA yard, and numerous smaller FOIA.
- **Records Management** - Improved Record Center with locational database and no filing backlog.
- **Program Improvements and LEAN Exercise** - Conducted LEAN exercise on

the Draft Permit process and began instituting recommended actions

- **Integrated Planning (IP)** - tracked interactions with about 10 R1 municipalities interested in IP and have been responsive to information requests and meetings
- **Workplace** - Adjusted to personnel changes with the designation of two Team Leaders in the Municipal Permits Section, adding an long-term interim Municipal Permits Section Chief, retaining our administrative staff, transferring a new permit writer into the Branch (Karen Mateleska), hiring a summer intern (Justin Rheingold) and benefitting from several co-lateral assignments (e.g. Andrea Traviglia, Erik Beck, Stephen Perkins, Scott Wilson)
- **Career Development Opportunities** - Provided career development opportunities with getting permission to hire a permanent Municipal Section Chief and an opportunity for a merit promotion to a senior position within the Industrial Permits Section.

B. Final Individual Permits in FY14

Municipal

1. Merrimack, NH (Michael)
2. Charles River PCD (appealed) (Betsy)
3. Meriden, NH (Michael)
4. Chelsea CSO (George)
5. Billerica (Robin)
6. Leominster (Michele)
7. Middleboro (Susan)
8. Belchertown (Janet)
9. Mansfield (Susan)
10. North Haven, ME (Doug)
11. Sturbridge (Betsy)
12. Whitefield, NH (Meridith)
13. Groton School (Doug)

Industrial

1. Seven Chelsea Creek Petroleum Storage Facilities (Shauna)
2. Chang Farms (Shauna)
3. GE Lynn (Danielle)
4. Boston Ship Repair (George)
5. Charles McLaughlin Fish Hatchery (Danielle)
6. Blister Trout Hatchery (Danielle)
7. Massport Logan Airport Fire Fighting Training Area (George)
8. Lobster Trap (Danielle)
9. Brayton Point Station modification (Sharon)
10. Harvard Blackstone (George)
11. GE Somersworth, NH (John)
12. CSX Transportation (Mark Voorhees)

C. Some Accomplishments of Significant Progress on IPs in FY14

1. Mt. Tom (draft May 2014)
2. Suffolk Downs
3. Taunton Watershed Draft Municipal Permits (Susan)
4. PSNH Schiller (Michael and team)
5. Nashua, NH
6. Pilgrim Nuclear Power Station (George and team)
7. Dewatering General Permit (DGP)
8. MA DOT MS4 Individual Permit
9. Termination of AVRRDD and Texon permits (Sharon and Danielle)

D. Inter-Agency Results in FY14 with States, Tribes and Other Agencies

1. RI PQR: Draft and Final PQR reports completed (Sharon, Mark, Betsy, Thelma, Dave Gray, Dave Pincumbe, Jay, George, Victor)
2. VT PQR: planning, permit selection, kickoff meeting scheduled for November
3. Enabled numerous state program improvements with the resolution of numerous Action Items in ME, CT, VT, and RI (Mark Voorhees is lead)
4. Oversight of nutrient permits and approach with RP and WQBELs in CT, ME, VT (primarily Dave Pincumbe)
5. Oversight of other targeted permits (e.g. Stormwater, CAFO, and Fish Pen) in ME, CT, and VT
6. Coordination of Maine DEP 316(b) authorization MOA revision work
7. Coordination with Massachusetts Historic Preservation Office and tribes on CGP issues and NHPA implementation
8. Upgraded EPA Web Site to enhance and maintain Draft and Final permits issued in six states

E. Some Program Improvements and Other Highlights

1. Piloted new WET permit requirements to be consistent with national guidance and PQR finding and development of revised WET procedures/attachments for permits
2. Instituting new procedures for tracking and responding to applications and sending application complete letters – substantially cleaning up this “backlog”
3. Continues leadership on Nutrients – (e.g. Legal Precedents in Newmarket appeal)
4. CAFO Strategy Implementation: Suffolk, Review of ME and VT CAFO Permits
5. Maintained NPDES Clearinghouse as a tool for Permit Writers and as the place for most current assistance documents; instituted improvements such as monthly updated of new documents added
6. Added new standard permit and fact sheet language in targeted areas such as reporting, NetDMR use, PQLs
7. Leadership participation in Regional Science Council and LEAN Regional pilots

II GOALS FOR FY15

A. Overall

- Continue coordination among sections, within OEP, with ORC, and states and continue to seek opportunities for variety in assignments.
- Continue LEAN implementation and other projects to improve efficiency, effectiveness and job satisfaction
- **Permits – Goal of 31 IPs; 4 GPs**
- Final NH Small MS4 GP
- Final MA Small MS4 GP
- Issue 4 non-stormwater GPs (RGP, PWTFGP, HydroGP, and DGP)
- Implementation of the new 316(b) Existing Facility Rule – working on new Rule implementation not only on EPA-issued permits under development, but also with other EPA permits, the delegated states and HQ.
- Draft MS4 permit for MassDOT
- Draft MS4 permit for BWSC
- Implement Integrated Planning with OES and with willing municipalities where it can be done (Durham, Gloucester, Worcester, Burlington VT, Portland, ME)
- Follow-up LEAN Action Plan to improve Draft Permit process and job satisfaction
- Improve Stormwater Tools: e-NOI, e-AR, Nutrient BMP tracking and optimization spread sheets
- Complete VT PQR,
- Approve ME NPDES authorization/MOA process for 316(b)
- Oversight and targeted permit reviews on ME, CT, VT, and RI permits
- Co-issue with ME 301(h) permits and determinations
- Resolve Co-permittee issue currently before the EAB (Charles River) and implement permitting of satellite collection systems consistent with EAB determination
- Implement Integrated Framework for municipalities: Work with Cities to develop work plans and implement IP (e.g. Durham, Burlington VT, Worcester, Gloucester, Portland, ME) and work with recipients of EPA Technical Assistance funds (Durham, Burlington)
- ESA issue coordination and issue resolution – Short Nose Sturgeon (SNS) and Atlantic Sturgeon Protection - Getting concurrences/agreements on ESA consultations on SNS/CT River permits e.g. Mt Tom
- Develop IT Tools for NPDES – Administrative Records, Posting, e-NOIs, SWMPs, Annual Reports
- Fill Municipal Section Chief position
- Fill Industrial senior permit writer position
- Continue and increase to use permitting teams for targeted permits and/or watersheds, following examples in great Bay, the Merrimack, and Power Plant permits

B. Individual Permits**- Category 1 - IPs: Counting on to be Final or Terminated – were planned for final in FY14**

1. Suffolk Downs
2. Ayer (Doug)
3. Invensys Systems (Dave P.)
4. Dewatering GP
5. Nashua NH (Meridith)
6. Taunton (Susan)
7. Marshfield (Michele)

-Category 2 - IPs: Should be in FY15, Draft already to PN by 9/30/14

1. NH Small MS4 GP (Newt)
2. Bird (Shauna)
3. South Essex Sewer District (SESD) (Michele)
4. Manchester NH (Michael)
5. Warner Village NH (Robin)
6. Pittsfield NH (Michael)
7. Lebanon NH (Andrea/Dan)
8. Bridgewater (Susan)
9. Southbridge (Betsy)
10. Hanover WRF, NH (Robin)
11. MWRA Clinton (Robin)
12. Wheaton College
13. Seamans Paper

-Category 3 - IPs: Draft completed or for issuance in first or second quarter – final in FY15 unless derailed by unanticipated actions

1. PSNH Merrimack
2. Gloucester (Doug)
3. Marlboro West (David P)
4. Pepperell (Doug)
5. MCI Concord (Robin)
6. Marion and TN allocation WWTF (Robin)
7. MCI Bridgewater (Susan)
8. Stonington ME (Doug)
9. Northport Village ME (Doug)
10. MA Small MS4 GP
11. Monadnock Paper
12. Rochester, NH (Dan)
13. Oak Point Homes (Suzanne)
14. Warren (Janet)
15. Somerset (Susan)
16. Brockton (Susan)
17. Swanzey NH (Dan)

18. Bayville Village ME (Doug)
19. Searsport ME (Doug)
20. PEDA (Robin)
21. Berlin NH (Michael)
22. Claremont NH (Michele)
23. Adams (Janet)
24. Battle Road Farm (Michele)
25. North Brookfield
26. Portsmouth, NH (Michael)
27. Sunapee
28. Fairhaven (Stephen)
29. Shire Human Genetic Therapies
30. A potable water treatment facility individual permit
31. NEG Offshore LNG port

-Category 4 - IP: Drafts, Significant Progress, or Possible Finals in FY15

- Durham (Dan)
- Dover (Dan)
- Fall River (Susan)
- Rouselout Peabody (Dave Gray and John Nagle)
- Douglass (Janet)
- Orange (Doug)
- Templeton (Doug)
- Mt. Tom (or termination)
- Plymouth and TN allocation (Betsy)
- Schiller
- Pilgrim
- Cohasset (Doug)
- Athol
- Hillsboro
- Ipswich
- MCI-Norfolk
- Montague
- Peterborough
- Salisbury
- Spencer

C. Issues Needing the Development and Implementation of an Approach



